

EXHIBIT 2

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ALICIA HERNANDEZ, EMMA WHITE,
KEITH LINDNER, TROY FRYE,
COSZETTA TEAGUE, IESHA BROWN,
RUSSELL and BRENDA SIMONEAUX,
JOHN and YVONNE DEMARTINO,
ROSE WILSON, TIFFANIE HOOD,
GEORGE and CYNDI FLOYD, and
DIANA TREVINO, individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

WELLS FARGO & COMPANY,
WELLS FARGO BANK, N.A.

Defendants.

Case No. No. 18-cv-07354-WHA

**DEFENDANT WELLS FARGO BANK, N.A.'S
RESPONSES TO PLAINTIFFS' THIRD SET
OF INTERROGATORIES**

PROPOUNDING PARTY: PLAINTIFFS

RESPONDING PARTY: DEFENDANT WELLS FARGO BANK, N.A.

SET NUMBER: THREE (3)

Pursuant to Federal Rules of Civil Procedure 26 and 33, Defendant Wells Fargo Bank, N.A. (“Defendant” or “Wells Fargo”) hereby objects and responds to Plaintiffs’ Third Set of Interrogatories. Defendant reserves the right to supplement, modify, or amend these responses up to and through the time of trial.

RESPONSES & OBJECTIONS

INTERROGATORY NO. 15

State the total number of homes since 2010 on which Defendant foreclosed and later determined it made a mistake in foreclosing.

RESPONSE TO INTERROGATORY NO. 15

Defendant objects that Plaintiffs are seeking information without regard as to whether it is relevant to Plaintiffs’ claims or Defendant’s defenses at issue in this lawsuit, and thus exceeds the scope of discovery permitted in Rule 26(b)(1) of the Federal Rules of Civil Procedure. Defendant further objects to this Interrogatory on the grounds that it is overbroad and disproportionate to the claims and defenses in this case. Defendant further objects to this Interrogatory on the ground that it is unduly burdensome. Defendant further objects to the phrase “mistake in foreclosing” as vague and ambiguous. Defendant further objects to the extent the Interrogatory requests information protected by the attorney-client privilege and/or bank examination privilege.

INTERROGATORY NO. 16

State the total number of mortgage modifications since 2010 that Defendant has determined it did not offer, but has since determined that it should have offered to a borrower.

RESPONSE TO INTERROGATORY NO. 16

Defendant objects that Plaintiffs are seeking information without regard as to whether it is relevant to Plaintiffs’ claims or Defendant’s defenses at issue in this lawsuit, and thus exceeds the scope of discovery permitted in Rule 26(b)(1) of the Federal Rules of Civil Procedure. Defendant

1 further objects to this Interrogatory on the grounds that it is overbroad and disproportionate to the
 2 claims and defenses in this case. Defendant further objects to this Interrogatory on the ground that
 3 it is unduly burdensome. Defendant further objects to this Interrogatory as duplicative. Defendant
 4 further objects to the phrases “did not offer” and “should have offered to a borrower” as vague and
 5 ambiguous. Defendant further objects to the extent the Interrogatory requests information protected
 6 by the attorney-client privilege and/or bank examination privilege.

7 **INTERROGATORY NO. 17**

8 State the total number of mortgage repayment plans that Defendant has determined it did not
 9 offer, but has since determined that it should have offered to a borrower since 2010.

10 **RESPONSE TO INTERROGATORY NO. 17**

11 Defendant objects that Plaintiffs are seeking information without regard as to whether it is
 12 relevant to Plaintiffs’ claims or Defendant’s defenses at issue in this lawsuit, and thus exceeds the
 13 scope of discovery permitted in Rule 26(b)(1) of the Federal Rules of Civil Procedure. Defendant
 14 further objects to this Interrogatory on the grounds that it is overbroad and disproportionate to the
 15 claims and defenses in this case. Defendant further objects to this Interrogatory on the ground that it
 16 is unduly burdensome. Defendant further objects to this Interrogatory as duplicative. Defendant
 17 further objects to the phrases “did not offer” and “should have offered to a borrower” as vague and
 18 ambiguous. Defendant further objects to the extent the Interrogatory requests information protected
 19 by the attorney-client privilege and/or bank examination privilege.

20 **INTERROGATORY NO. 18**

21 State the total number of CITs that Defendant has opened since 2010.

22 **RESPONSE TO INTERROGATORY NO. 18**

23 Defendant objects that Plaintiffs are seeking information without regard as to whether it is
 24 relevant to Plaintiffs’ claims or Defendant’s defenses at issue in this lawsuit, and thus exceeds the
 25 scope of discovery permitted in Rule 26(b)(1) of the Federal Rules of Civil Procedure. Defendant
 26 further objects to this Interrogatory on the grounds that it is overbroad and disproportionate to the
 27 claims and defenses in this case. Defendant further objects to this Interrogatory on the ground that it
 28

1 is unduly burdensome and harassing. Defendant further objects to the phrase “mistake in foreclosing”
 2 as vague and ambiguous. Defendant further objects to the extent the Interrogatory requests
 3 information protected by the attorney-client privilege and/or bank examination privilege.

4 **INTERROGATORY NO. 19**

5 State the total number of remediations that Defendant has offered to residential mortgage
 6 borrowers since 2010.

7 **RESPONSE TO INTERROGATORY NO. 19**

8 Defendant objects that Plaintiffs are seeking information without regard as to whether it is
 9 relevant to Plaintiffs’ claims or Defendant’s defenses at issue in this lawsuit, and thus exceeds the
 10 scope of discovery permitted in Rule 26(b)(1) of the Federal Rules of Civil Procedure. Defendant
 11 further objects to this Interrogatory on the grounds that it is overbroad and disproportionate to the
 12 claims and defenses in this case. Defendant further objects to this Interrogatory on the ground that it
 13 is unduly burdensome. Defendant further objects to the term “remediations” as vague and ambiguous.
 14 Defendant further objects to the extent the Interrogatory requests information protected by the
 15 attorney-client privilege and/or bank examination privilege.

16
 17 Dated: November 21, 2019

WINSTON & STRAWN LLP

18
 19 By: /s/ Amanda L. Groves
 20 Amanda L. Groves
 Kobi K. Brinson (*pro hac vice*)

21 Attorneys for Defendant
 22 WELLS FARGO BANK, N.A.
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CERTIFICATE OF SERVICE

United States District Court for the Northern District of California

Case No. 3:18-cv-07354-WHA

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is Winston & Strawn LLP, 333 S. Grand Avenue, Los Angeles, CA 90071-1543. On November 21, 2019, I served the following document:

DEFENDANT WELLS FARGO BANK, N.A.'S RESPONSES TO PLAINTIFF'S THIRD SET OF INTERROGATORIES

☒ by placing a copy of the document listed above in a sealed envelope with postage thereon fully prepaid in the United States mail at Los Angeles, CA addressed as set forth below.

I am readily familiar with the firm's business practice for collection and processing of correspondence for mailing with the United States Postal Service. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service with postage fully prepaid.

☒ by electronically transmitting a copy of the document listed above via email to the addressees as set forth below, in accordance with the parties' agreement to be served electronically pursuant to Federal Rule of Civil Procedure 5(b)(2)(E), or Local Rule of Court, or court order. No error messages were received after said transmission.

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1 I declare under penalty of perjury under the laws of the United States of America that the
2 above is true and correct.

3
4 Signed: Shawn R. Obi
Shawn R. Obi

5 Dated: November 21, 2019
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